

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

TIDEWATER BARGE LINES, INC., as)
demise owner of the barge BIG BIN,)
)
Plaintiff,)

Case No. 03-1225-ST

vs.)

ORDER

In a cause for exoneration from or)
limitation of liability.)
)
_____)

CP SHIPS, LTD., ITALIA di)
NAVIGAZIONE, S.p.A, CONTSHIP)
CONTAINER LINES, LTD., AUSTRALIA-))
NEW ZEALAND DIRECT LINES, and)
TIMM LINES, LTD.,)
)

Claimants/Third-Party)
Plaintiffs,)
)

vs.)

THE PORT OF LEWISTON, an Idaho)
municipal corporation,)
)

Third-Party Defendant,)

and)
)
)
 THE PORT OF PORTLAND, an Oregon)
 municipal corporation, and MARINE)
 TERMINALS CORPORATION, a Nevada)
 corporation,)
)
 Claimants/Third Party)
 Defendants.)
)
 _____)
)
 THE PORT OF PORTLAND, an Oregon)
 municipal corporation, and MARINE)
 TERMINALS CORPORATION, a Nevada)
 corporation,)
)
 Third-Party Defendants/)
 Fourth-Party Plaintiffs,)
)
 vs.)
)
 SANDRA K. RUSSELL, as owner of the)
 barge BIG BIN,)
)
 Fourth-Party Defendant.)
 _____)

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- and -

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KING, Judge:

The Honorable Janice M. Stewart, United States Magistrate Judge, filed Findings and Recommendation on October 21, 2005. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Stewart's Findings and Recommendation (#204).

IT IS HEREBY ORDERED that the oral motion of the Port of Portland and MTC under Federal Rule of Civil Procedure 56(f) to conduct additional discovery is denied, and Sandra K. Russell's Motion for Summary Judgment (#136) is granted.

Dated this 22nd day of November, 2005.

/s/ Garr M. King
Garr M. King
United States District Judge